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HONOLULU, H. T., TUESDAY MAY 19, 1903—SEMI-WEEKLY.

WHOLE No. 2488.

## TEACHERS TALK OVER TEMPERANCE

### Doctors Discuss the Hygienic Points.

Temperance was the topic of the Territorial Teachers' Association at the meeting at the High School last evening. There were other topics in the line of hygiene, but just the same the meeting may well be considered a temperance meeting as that subject was uppermost in the minds of the speakers most of the time.

The evening was relieved by the singing of the High School pupils who opened the program, interspersed songs and closed the very enjoyable meeting with a vesper. There was a good attendance of the teachers of the entire city. The next meeting will be held July 10th, that being the annual meeting.

Dr. E. C. Waterhouse had for his subject antiseptics and antidotes for poisons. He took up the first branch and considered it first as to antiseptics, laying stress upon the necessity for cleanliness as a first consideration, explaining the methods of sterilizing instruments and the operator's hands.

As to dressings for wounds the speaker told of the dry and wet antiseptics, naming the most commonly used and telling of proportions. Another use of antiseptics was described as for fumigation, the use of fumes of sulphur and formaldehyde being advocated with the further advice that all clothing that may have come in contact with a patient should be boiled. Sunshine was described as the best antiseptic. As to tuberculosis Dr. Waterhouse impressed the necessity for disposing of sputum and as to typhoid fever he remarked that if everyone should drink boiled water typhoid would disappear.

Treating antidotes for poisons Dr. Waterhouse urged first the cleansing of the stomach, the keeping warm of the patient, the use of stimulants like strychnia and ammonia, and the administering of white of eggs. A number of special antidotes for special poisons were enumerated and methods of treatment explained.

Miss Emogene Hart, of Punahou Preparatory, discussed emergency cases. She began with the suggestion that experience was the best teacher and that there should be imaginary cases so that the pupils will be thus more perfectly prepared. Instructions for reviving persons suffocated by drowning were given. Bandages were explained, the value of the triangular bandage as tourniquet and sling was gone over and a patient used in explanation. The danger of removing a patient with a broken limb was discussed and the necessity for various forms of temporary splints and litters was outlined.

Dr. Albert B. Clark talked of the care of children's teeth. In some cities of Europe he said a dentist was employed to look after the teeth of the school children, but in America this is being overlooked. He said that the mouths of children should be carefully watched so as to see that the second set are regular and are kept beautiful.

As to the necessity for preserving the teeth Dr. Clark said that cleanliness was the first consideration, as the harm to teeth came from bacteria, which could not work except they are given a lodgment, for they can make no progress on a clean, smooth surface. Tooth ache was described as of two kinds, both of sufficient importance to call for immediate remedies, which were hinted at in many varieties. Dr. Clark closing with the expression of trust that the teachers would do all in their power to protect the teeth of the children as conducive to their best health.

Dr. Charles T. Rodgers talked of Temperance having prepared a rather elaborate paper on the subject. Dr. Rodgers said temperance meant moderation but now it has come to mean abstinence from liquors or strong drink. He devoted the principal portion of his paper to a discussion of the teaching of temperance in the school, reading the Act of Congress passed in 1886, making such teaching compulsory. He described the instructions sent out by the department and told how the subject has grown.

As to the necessity for the instruction he said probably no two opinions could be entertained. He dwelt upon the loss in money, in energy, the misery and social demoralization resulting from the drink habit was gone over. The effect upon men, the moral disintegration or deterioration brought out some good facts which were used to point the moral. As to teaching, Dr. Rodgers said not only the hygienic effect must be taught but as well the moral and sociological view must be kept just as well to the front and given their proper place. As to the ways of reaching pupils he said there must be care so that children will not be brought to look with reproach upon parents or adult relatives.

As to moderate drinkers, Dr. Rodgers said he believed there were such, though he said he would not advocate drinking at all. He pointed out the

## MRS. GERTZ LOSES AGAIN

### Now She Will Have to Go to Circuit Court of Appeals.

Mrs. Gertz, whose persistent fight in the local courts for property she claims was wrongfully taken from her by J. A. Magoon, will have to go to the Circuit Court of Appeals at San Francisco for relief, as the Supreme Court yesterday denied her application for a rehearing. Mrs. Gertz conducts her own case, makes her own arguments in court and files highly sensational briefs in support of her case. She is able to pay a lawyer, she says, but acts for herself because all the judges and all the attorneys are in a conspiracy to defeat her in the battle for her property. Mrs. Gertz gets little consolation from the Supreme Court for all her long briefs and arguments. The decision is short and to the point. It is as follows:

No. 70—Anna Gertz in her own behalf and as Executrix of the Will of Christian Gertz, deceased, vs. J. Alfred Magoon in his personal capacity and as trustee for C. H. Banning and B. R. Banning, John Buckley and Maria J. Forbes. Motion for rehearing. Submitted March 25, 1903, decided May 18, 1903.

Per Curiam. No sufficient cause appearing for granting a rehearing, the motion is denied.

..... many evils of the habit, but entered his protest against the intemperate language of some of the temperance advocates. He said that if misinformation is given to children they will find it out and the result will be a loss of confidence.

After discussing narcotics and stimulants and their effects, saying such things have their field in medicine, Dr. Rodgers showed that it would be a mistake to base teaching upon the radical opinion that there is no possible good from either, for later investigation would show the fallacy of such a teaching and result in breaking down the influence of the teachers. He urged that teachers confine themselves to the truth for the case against strong drink is too strong to need any exaggeration. He maintained that emergencies made stimulants necessary and that at times such reports are important.

Mrs. C. A. Macdonald read a digest of a report by Prof. W. O. Atwater on Alcohol, Physiology and Temperance Reform. In the course of the paper the point is made that alcohol has food value but at the same time has poisonous qualities. Prof. Atwater made the point that a thinking boy must not be told that alcohol is poison, for he will find that such is not always the case. Stress was laid upon the business and social side of liquor drinking, the effect of example and the service which every man owes to his fellows. The moral side of the instruction was brought out and the necessity to keep within accurate knowledge was impressed. The effect of alcohol upon character was set forth as the most important, where it would be impossible to exaggerate.

A general discussion followed, the Rev. Alex. Mackintosh of Royal School opening this portion of the program. As to his method of teaching, he said that he encouraged his pupils to talk of the subject, just like a debating society, so that the young had an analysis of occurrences, the effects of liquor as a producer of crime. He touched on the moral obligation which follows the use of liquor habitually and said that the teaching must be most careful and must be followed after school. Mr. Mackintosh explained how bible studies were brought up and then he read several essays which were based on the story of Daniel, which amused the teachers quite a deal.

Miss Ivy Girvin, of Kaahumanu School, talked of the hard features of making an impression upon children who have become sophisticated with all kinds of evil during their youth. She advocated stories, poems and recitations to awaken the interest and thus secure the confidence of the children.

Dr. W. B. Elkin, of Kamehameha Manual, said that he expected that a toxin may be discovered which will remove the taste for liquor or tobacco. He said he had known of success attending the use of tobacco with boys by giving them all they wanted until they were ill. As to the liquor-selling business he thought perhaps the best thing would be to place the business in the hands of respectable men who would conduct the business carefully and give the people the benefit of the profit. He called attention to the alcohol in remedies and said this should discourage beer.

Mr. Lull, of the High School, talked of temperance teaching, saying that the best results would follow incidental teaching of moral and ethical subjects. He thought too much harping on a subject might produce nausea, but that careful instruction would lead to better living.

Principal Taggard of Kalihi-waena School, commented on the opening of a beer saloon at Kalihi, telling the story of how the children had observed the saloon, and that a large proportion had been so attracted that they had observed the interior even. Many children played on the streets and consequently they became well acquainted with this saloon, though all said they had not entered it. Mr. Taggard said that the

## FIVE PORTUGUESE STABBED WHILE IN STREET FIGHT

### Wounded Men Treated at Queen's Hospital and Then Placed Under Arrest.

(From Monday's Daily.)

John Gomes, alias Spaniola, stabbed in right side, knife blade entering pleural cavity; serious.

Charles Ferreira, stabbed in right side of abdomen; not serious.

John Hollerson (Peter), stabbed in left side of abdomen; not serious.

Antone Souza, stabbed in lower part of abdomen; not serious.

Joaquin Tarres, who is alleged to have stabbed the above persons, stabbed in right hip, ugly wound, quite painful, but not serious.

Kinaiu street between Miller and Alapai street, was the scene of serious stabbing affray last night about 9 o'clock in which were engaged seven or eight Portuguese. As a result five injured persons had to be treated at the Queen's Hospital for knife wounds. The most serious wound was that received by John Gomes, alias Spaniola, while the other four have wounds which are more or less painful, but none are classed as serious by the hospital staff.

Joaquin Tarres is alleged to have stabbed the four men, and he claims to have been stabbed in the leg by one of them. He has no direct knowledge as to who made the wound, but believes it was inflicted by either John Gomes or Charles Ferreira. Tarres is a mild-mannered Portuguese carpenter, of middle age, who has lived in a small cottage off Reed Lane, Kinaiu street, for about a year. Gomes and Ferreira are young men who belong to an element which has made trouble on Punchbowl on other occasions.

Last night's affray is told in as many ways as there were participants, and it was evident that an attempt to hide the facts was being made by the wounded men. None of their stories, as told to an Advertiser representative, tallied. They alleged they were attacked by a body of men unknown to them, and that after being stabbed, their assailants fled in the darkness. On the other hand, Lieutenant Sam Leslie of the Mounted Patrol, who took charge of the case, ascertained that Joaquin Tarres was well known to all of them, and that they knew who had done the stabbing. Tarres surrendered himself to the police at 10 o'clock last night, after having his wound dressed by Dr. Faria.

From what the police learned from a number of Punchbowl residents, Gomes and Ferreira, together with a young fellow known as Willie Dias, were out looking for Tarres last night and intended to give him a beating. They had evidently looked for trouble and found more than they sought.

Tarres said that on last Sunday he was walking along Beretania street toward Alapai when he saw a group of young men engaged in a fight, and he took the part of a young fellow who appeared to be getting the worst of it. Gomes and Ferreira, who were in the fight, turned on Tarres and Gomes struck at him. Tarres had a small walking stick and he struck Gomes. Ferreira advanced upon Tarres, but when he saw the latter's upraised stick he dodged and Tarres hurried up the street with Gomes and Ferreira following him, saying they would get even with him another time. This story was told by Tarres to several neighbors last Sunday shortly after the affair, and these corroborated it last night. Since that time Tarres has always carried his cane at night.

Last evening he went away from his house for a short time, and when walking back toward his home a stone was thrown at him from behind, just missing his head. At that time he was

passing a group of Portuguese standing in a shadow. Tarres turned upon them, brandishing his stick. He reached into his pocket and whipped out his jack-knife and struck at two or three young fellows who closed in on him. His first two blows struck Hollerson and Souza and they immediately left the place. Others closing in on him, Tarres says he used his knife on his assailants and only knew that some one had been hurt by the groans he heard. He was struck once or twice, and when at last he turned to run to his home, he felt a pain in his right hip and putting his hand to his trousers found the right side wet with blood. He hobbled home and told several women in the yard of what had taken place and then started off for a physician.

Gomes, who was the most seriously injured of the crowd, was assisted down the street, and all went to the Queen's Hospital, where the entire hospital was soon engaged in attending the cuts. As soon as Gomes and Ferreira were stretched out on the operating tables and Drs. Waterhouse and Curtis went to work, Hollerson and Souza slipped away, sickened at the sight and fearing to have their own wounds stitched. Gomes had to be placed under the influence of chloroform and the doctors probed deep to ascertain whether the right lung had been penetrated, but found only the pleural lining opened. The wound was about three inches long.

Ferreira, while the doctor stitched the gash in his side, said to an Advertiser man that he and the other wounded boys, with Dias, were walking quietly along Kinaiu street near Alapai, when suddenly a group of men assailed them, and instantly he felt a pain in his side. He said he had no knowledge as to who the assailants were, but there were several of them. He told of a trouble Gomes had with an unknown Portuguese last Sunday, but resolutely stuck to it that he did not know the man.

Willie Dias told an entirely different story. He said all the crowd had been in Jordin's drinking, and on coming out met the men who later stabbed them. Gomes, he said, asked the man to buy them a drink, which the man refused to do. Gomes then called the stranger a vile name and struck him, and with that the stranger whipped out a knife and stabbed four of his comrades. Dias ran away and was not harmed. He did not know who the "stranger" was.

Hollerson was found at the home of his grandfather in a lane off Quarry street. He said that he and Souza were on Kinaiu street about opposite Reed's lane, when they saw Gomes, Dias, Ferreira and others come along. They also saw Tarres. Hollerson says he saw a stone "fired" at Tarres and Tarres immediately turned. Seeing Hollerson and Souza near by and thinking they were the ones who threw the missile, he attacked them. Hollerson felt blood running down his side, and then pain. He retreated, heard Gomes utter a groan, and saw him fall. Hollerson was certain that Tarres was attacked before he turned and fought in self-defense.

Souza was found in a house near by and corroborated Hollerson's story. Hollerson and Souza were then put in a hack by Lieut. Leslie and taken to the Hospital and were attended to, being taken later, with Ferreira and Dias, to the police station where they were booked for investigation. The same entry was made against Tarres, and Gomes later will come under the same charge.

### BROKE HIS NOSE WITH HAMMER

Ah Kong is in jail because he tried to collect a debt in a way which is contrary to the law. About 8 o'clock last evening Ah Kong went to the house of George Kelo, who lives at Makiki and demanded payment of a debt he claimed Kelo owed him. The money not being forthcoming the Chinaman became abusive and suddenly struck Kelo in the face with a hammer which he had brought with him. The native's nose was broken by the blow. The noise of the fight attracted Senator Woods who was in the vicinity and he called for the patrol wagon. The Chinaman was arrested for assault and battery and the native was sent to the Queen's Hospital.

Beer saloons will have a strong influence even to the extent that appetite may be fostered or created by the odors. Consequently the effect of the saloons will counteract the influence of the schools, which meant that the opening of these saloons in residence districts must be hurtful to morals.

### GOMES' WOUND QUITE PAINFUL

A continuance in the cases of Charles Ferreira, John Hollerson, Antone Souza, Willie Dias and John Gomes, held for investigation, with Joaquin Tarres, who stabbed four of the men while defending himself from an attack, was granted in the police court yesterday pending the result of the injuries received by Gomes. The latter is still at the Queen's Hospital. Yesterday he passed a fretful day, being overcome by nausea, while his wound gave him considerable pain. He will probably be out in a short time and the entire matter will then be aired in the police court. Dias, Souza and Hollerson are held at the police station.

Secretary Carter was busy all day yesterday with depositors of the Chinese fund, and has now paid out about \$4,000 of the \$55,000 in his hands. He expects to pay out the entire amount at the rate depositors are coming forward daily. Yesterday's crowd was the largest he has had since the signing of the bill by the Governor.

## HARD TO GET MURPHY JURY

### Two Special Venires Issued From Court.

But little progress was made yesterday towards securing a jury to hear the case of Pat Murphy charged with murder in the first degree. In the morning fourteen jurors were excused for cause and in the afternoon the entire special venire was exhausted with three peremptory challenges, the prosecution still having four and the defendant eleven challenges to exercise.

It seems to be rather hard work to get a jurymen to sit on a murder case, particularly where the evidence is circumstantial. A large percentage of those examined yesterday had conscientious scruples against inflicting the death penalty, which they couldn't lay aside in any event where the evidence was not of a direct nature. A lot of those excused were unable to distinguish the difference between direct and circumstantial evidence and they were permitted to go without objection from either side.

The regular panel of jurors was exhausted at noon, without either side having exercised a peremptory challenge and Judge Robinson issued a special venire for fourteen, returnable at two o'clock. But four of the jurors were served and another adjournment was necessary for the summoning of more jurors. Judge Robinson then issued an open venire directed to the High Sheriff for twenty-five jurors to be chosen by him from the body of the district.

The jury will probably be chosen before evening today.

#### THE PEABODY CASE.

There now appears to be some hope of a conclusion of the case of Lucy K. Peabody vs. Trustees of Bishop Estate. The rebuttal evidence of the plaintiff was practically closed yesterday afternoon and today will be given over to arguments.

#### PROBATE MATTERS.

K. Yamamoto was yesterday appointed administrator of the estate of T. Nitya under bonds of \$10,000. He has control of two stores in Ewa and was legally put in charge of them by Judge Sears.

### MAUI SETTLES ON ITS LOANS

Maui is the first island to settle upon the items which it is proposed to put into the Loan Bill, the delegation from the county meeting yesterday for the purpose. Senator Baldwin was chosen chairman and Representative Keilinoi, secretary. There was little discussion over the various items, which passed, generally speaking, as they are in the bill. The total for Maui is \$177,000, and this has been divided by districts as follows: Hana, \$80,000; Makawao, \$34,000; Wailuku, \$22,000; Lahaina, \$41,000.

Of the items for the Hana district there is one of size, that of \$50,000 for the Nahiku to Kailua road. Another item is of \$20,000 for a road from Punahoa to Moolea. In Makawao there are few points which are of large size, the greatest being of \$10,000 for a road from Kula to Kihui.

Wailuku will have a new road from the city to Iao valley, the expense being in the neighborhood of \$10,000. There is \$1,000 for a new bridge at Wailuku. Lahaina is to get \$10,000 for a road from Honolua to Honokahua, and as much for a new road to Maalea, instead of Manawainui as proposed. For trails about Wailuku \$12,000 is given.

It is understood that Hawaii and Oahu may meet today.

### MONSARRAT AND WEAVER

There is a warm fight on the judgeship of the land court constituted by the new Torrens Land Law. There are only two announced candidates, but there are others who have their eyes on the place and may be called upon in the event of a deadlock. The leading candidate in the sense of having the greatest number of signers to his petition, is J. M. Monsarrat. It is understood that there has not been a refusal to sign by any person, to whom the application has been presented. On the other side many of the young members of the bar are making a fight for the place for P. L. Weaver, assistant attorney general. Mr. Weaver wrote the first opinion on the matter of this law, which was read before the Young Men's Research Club, and from which it is claimed started the discussions which have resulted in the securing of legislative action. Senator Cecil Brown is said to be making the fight of Monsarrat.

The British ship Arctic Stream shifted over to the Railway wharf to discharge coal for Irwin & Co.

## HOUSE IS CLOSE TO ILLEGALITY

### Lawyers Agree on Question of Period.

What will be the status of the Legislature after Wednesday is a question which is being largely discussed just now. That a failure to meet on Wednesday will constitute an illegal act is considered as well established as can be any legal fact, but of those who discuss the matter no two agree as to the effect of such an act.

The section of the Organic Act which says that neither house shall adjourn for more than three days, without the consent of the other prescribes no penalty, and sets forth no result of the illegality. This makes a question which will be added to the other allegations of the irregularity of the session, and of which there may be no settlement until some act of the legislature is contested in the courts. Governor Dole is at work on the question, looking up precedents, and it is expected that he will ask for an opinion from the Attorney-General today.

So great is the interest of those who have the good of the Territory at heart, that some friends of Governor Dole yesterday suggested that it is a matter of such importance, that the Attorney-General of the United States should be asked to cable an opinion, so that pressure might be brought to bear upon Speaker Beckley to issue a summons for the members on Wednesday and thus prevent the illegality which threatens.

Speaker Beckley yesterday, to an afternoon paper, said that the calculation of the time of the adjournment began with Monday morning, which made Wednesday the third day, and Thursday the day on which the House must sit again. Unfortunately perhaps Speaker Beckley has in this view the backing of none of the prominent lawyers. It is an axiom in the law that parts of a day are not reckoned. Another is that one day of a fixed term is dropped. Thus the adjournment on Saturday meant that that day, and not as to any particular hour. This is in accordance with the oldest rule of law. But at the same time it is as well established that if the first day is disregarded as a portion of a fixed time, the last must be counted. Thus if Saturday is excluded from the count of the three days, Wednesday must be taken into account.

Where the rules of the House are silent the best rules of the country are taken, and these are those of the late Thomas Brackett Reed, who was speaker of the United States House of Representatives. Yet it is a fact that in the special session for the passage of the Dingley law, in the summer of 1897, a fact which is in the mind of many Honoluluans, as there was a delegation at the capital fighting against the cutting out of the reciprocity treaty, which was threatened, there was a battle of the giants over the adjournment of Congress from Thursday to Monday, with a similar provision in the constitution to that in the Organic Act. Many of the best lawyers in the United States argued that more than three days intervened, and the argument of James Hamilton Lewis, of Seattle, was so elaborate that Mr. Reed was obliged to call wait for a time to examine the authorities before he would make his ruling, though of course he upheld the three days contention of his party.

There are many theories as to the effects of the failure of the House to meet on Wednesday. One is that the legislature expires, owing to the wording of the section "during any session," limiting the time of the adjournment. Those holding this view believe that the illegal act of the House ends the session forthwith, and that nothing done by the Legislature after that is legal.

Others, while agreeing that the adjournment is illegal, hold that the effect cannot be so far reaching, but that there must be a remedy at law to prevent hardship to the innocent branch of the Legislature through the wrongful act of the lower house.

It is understood that Judge Estee has been consulted and that he holds that the adjournment is illegal, as do all the other judges of the courts here. The Attorney-General would not discuss the matter last evening.

### NEW MILL FOR PAAUHAU COMPANY

A portion of the cargo of the steamer Helene which sails at 5 p. m. today for Hawaii comprises heavy timber and structural work intended for a new sugar mill for the Pauahau plantation, Hawaii. A new mill is to be erected in place of the old one, and the one to be built will be a modern affair in every detail.

The Iroquois is about ready for her voyage to Midway Island.